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UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

In the Matter of

Aerolineas Argentinas, S.A.

Docket OST-2003-15092 - 27

Served: December 15, 2003

NOTICE

By Order 2003-11-26, in the above-captioned docket, the Department required Aerolineas Argentinas, among other things, to remit into a U.S. escrow account, on a per-flight basis, the difference between what it actually pays for services at Buenos Aires Ezeiza airport and the higher amounts it would be paying if it were not benefiting from discriminatorily favorable treatment *vis-à-vis* U.S. carriers. Under the terms of the order, by December 5, 2003, Aerolineas Argentinas was to provide the Department evidence of the establishment of an escrow account, the retaining of an escrow agent, and an agreement among the carrier, the bank and the agent for Department approval.

On December 4, 2003, Aerolineas Argentinas filed a motion to stay of all proceedings in this matter. It states that it is doing so "because of the recent decision issued by the Argentine Federal Court of Appeals Sala II, dated November 27, 2003, and served upon Aerolineas on December 3, 2003, a copy attached hereto." The copy of the court decision relied upon by Aerolineas Argentinas in support of its motion was provided to us exclusively in Spanish. On December 5, 2003, we issued an order (Order 2003-12-7) stating that upon receipt of the English translation of that decision, we would establish a procedural schedule for comment on the motion to stay. On December 12, 2003, Aerolineas Argentinas filed the English translation of the Argentine court decision.

Order 2003-12-7 also extended the deadline for submitting the escrow materials until December 8, 2003. On December 8, 2003, Aerolineas Argentinas filed an escrow agreement under cover of a motion for leave to file. Under the Department's regulations (14CFR 302.11(c)), answers to this motion are due December 17, 2003.

For administrative convenience to the parties in this proceeding, we are establishing a common answer date for comment on both motions. Answers to both motions shall be filed no later than December 17, 2003. We also will provide for replies to any answers filed, and those replies shall be filed no later than noon on December 19, 2003.

We will serve this notice via email or facsimile on the parties in this docket. We authorize responses to be served by facsimile or email.

By:

PAUL L. GRETCH
Director, Office of
International Aviation

(SEAL)

Dated: December 15, 2003

*An electronic version of this notice is available on the World Wide Web at
http://dms.dot.gov/reports/reports_aviation.asp*